

# **PERMANENT REGULATORY CHANGES EFFECTIVE IN 2006**

Underline: Permanent Additions  
~~Strikeout:~~ Permanent Deletions

## **Processor and Recycling Center Permanent Regulations Effective March 25, 2006**

### **TITLE 14. NATURAL RESOURCES DIVISION 2. DEPARTMENT OF CONSERVATION CHAPTER 5. DIVISION OF RECYCLING**

#### **SUBCHAPTER 1. DEFINITIONS**

#### **§2000. DEFINITIONS.**

(a) In addition to the definitions provided in the California Beverage Container Recycling and Litter Reduction Act, except for subdivisions (a)(3.1), (10), (20), (21), (35), (37), (38), (40) and (42) below which modify definitions in the Act for purposes of these regulations, the following definitions shall apply whenever the terms are used in this chapter.

(1) "Act" means the California Beverage Container Recycling and Litter Reduction Act (Division 12.1 of the Public Resources Code).

(2) "Administrative Costs" means the cost of recordkeeping and accounting required of curbside programs, distributors, recycling centers and processors to comply with the requirements of the Act and these regulations.

(2.1) "Amended Processor Invoice" means an invoice submitted by a processor correcting an original report that has been processed and paid.

(2.2) "Amended Shipping Report" means a shipping report submitted by a processor correcting an original shipping report that has been processed and paid.

(2.5) "Alternative Methodology" means an individual commingled rate survey methodology, which either employs the Division's methodology with variations or creates a proposed methodology for the dropoff or collection, community service or curbside programs to arrive at an individual commingled rate.

(3) "Applicant" means the person(s) who has authority to legally bind the operator to a contract.

(3.1) "Beneficiating Processor" means any processor certified by the department who sells cullet to another certified processor or to a glass container manufacturer during the three months preceding the month in which scrap value data is reported to the Division and who beneficiates purchased cullet so that the cullet either:

(A) meets the American Society for Testing and Materials (ASTM) standard specification for waste glass as a raw material for the manufacture of glass containers [E708-79 (Reapproved 1988) Standard Specification for Waste Glass As A Raw Material For The Manufacture of Glass Containers. Current Edition Approved Nov. 30, 1979: published January 1980, see appendix A]; or

(B) is free from nonglass contaminants and non-container glass compositions, cleansed, crushed to size, free-flowing with minimum water content, absent of hazardous material residue and passes furnace ready sampling and testing methods of a purchasing glass container manufacturer.

(C) Notwithstanding the other provisions of this section, any certified processor shall not be considered a beneficiating processor if fifty percent (50%) or more of the cullet purchased by that processor during the survey month in which the scrap value data is reported was purchased as beneficiated cullet.

(3.2) "Beverage manufacturer" shall have the same definition as provided in Public Resources Code section 14506, and "any person ... who imports", as provided in that section, shall include, in the following order of preference:

(A) Any consignee of filled beverage containers brought into this State from without this State, when the filled beverage containers are for delivery, use, or sale within this State.

(B) Any person or entity to whom delivery is first made in this State of filled beverage containers brought into this State from without this State, when the filled beverage containers are for delivery, use, or sale within this State.

(C) Any person or entity bringing filled beverage containers into this State from without this State which are not consigned to any person, when the filled beverage containers are for delivery, use, or sale within this State.

(4) "Cancellation" means the act of removing the refund value of an empty beverage container by any of the following actions:

(A) Aluminum empty beverage containers shall be deemed cancelled when such containers can no longer be physically reconstituted or distinguished as container units. Except as provided in section 2110(b), this may be accomplished by shredding or densification to thirty pounds per cubic foot or more.

(B) Glass empty beverage containers shall be deemed cancelled when such containers have been substantially cleaned of non-glass contaminants and they are crushed size in such a manner as to be acceptable without further processing by a willing user.

(C) Plastic empty beverage containers shall be deemed cancelled when the original form has been so altered as to make its reconstitution physically impossible.

(D) Bimetal empty beverage containers shall be deemed cancelled by densification sufficient to ensure that separation of a single container is no longer possible, or by shredding, milling, or nuggeting.

(E) Any empty beverage container shall be deemed cancelled when it is permanently exported from the State and export verified in accordance with subsections 2420(d)(1), (2) and (3) of these regulations provided that, if aluminum beverage containers, they are first densified to no less than 15 pounds per cubic foot, or shredded.

(F) Any empty beverage container shall be deemed cancelled when it is delivered to a location of end use and the delivery verified in accordance with subsections 2420(d)(1), (2) and (3) of these regulations provided that the following requirements are met:

1. aluminum beverage containers are first densified to not less than 15 pounds per cubic foot, or shredded.

2. glass beverage containers are delivered to a location of end use, which includes a beneficiating processor, as defined in Public Resources Code section 14503.6.

(5) "Category" means the classification of operation, i.e., processor, recycling center, grandfathered recycling center, dropoff or collection program, or community service program.

(6) "Certificate" means the official document issued by the Division which identifies an operator of a recycling center, dropoff or collection program, community service program or processing facility as meeting the requirements for certification by the Division.

(7) "Certified" means an operator of a recycling center, dropoff or collection program, community service program or processing facility has met the minimum requirements established by the Division to receive the certificate defined in (6) above.

(8) "Certification Sign" means a sign or decal issued by the Division for display which identifies the operator of a recycling center as meeting the requirements for certification by the Division.

(9) "Clearly and Prominently" means that the redemption message is displayed so that it is easily found and read by consumers and recyclers. Each letter comprising the message is complete, legible, and cannot be readily obscured. Other factors include boldness, width, spacing, and location of lettering. The message must be distinguishable from refund messages of other states.

(9.5) "Close proximity" means the area within, or adjacent to, a convenience zone, as determined by the Division on a case-by-case basis considering geographic and demographic factors, and consumer convenience.

(10) "Commingled" means a mix of empty beverage containers and other containers of the same material type. Any broken glass empty beverage container(s) purchased from consumers, dropoff or collection programs, or community service programs shall be deemed commingled. Any broken or partial beverage container(s) **or rejected, line breakage or out-of-state containers** shall not be included when performing a survey methodology to arrive at an individual commingled rate or statewide average commingled rate. Dropoff or collection, curbside and community service programs' individual commingled rate shall be determined pursuant to subsection 2620 through 2645, 2660 through 2685, and 2720 through 2745, respectively. The statewide average commingled rates shall be determined by the Division pursuant to subsections 2900(a)(1)(B) and section 2930 of these regulations.

(11) "Community Service Program" means a program, certified by the Division, which does not pay a refund value and accepts or collects empty beverage containers at a specific location or locations and meets one of the following criteria:

(A) The program is organized under Section 501(c) or 501(d) of the Internal Revenue Code [26 U.S.C. 501(c) and 501(d)], or

(B) The program is a charitable group organized under Section 23701 of the California Revenue and Taxation Code, or

(C) The program is operated by, or caused to be operated by, a city, county or other public agency.

(11.1) "Consolidated Shipping Report" documents the delivery and receipt of material for processors or recycling centers that operate multiple recycling centers or receive material from dropoff or collection programs, community service programs, or curbside programs and is prepared pursuant to subsection 2090(f) of these regulations.

(12) "Contrasting Colors" as used in reference to the redemption message lettering means a clear differentiation in hue, value, and intensity with the background on which the redemption message appears, surrounding artwork, and other nearby printed information.

(13) "Days" means all calendar days unless provided otherwise.

(14) "Delivered" or "Delivery", as used in subchapters 5 & 6 of these regulations, means physically taking possession of the material.

(15) "Dual Certified Entity" means any person who is certified as a processor and also a recycling center at the same location as the processor.

(16) "Densification" means the process of compressing material for the purpose of increasing the weight to volume ratio.

(17) "Disposal Cost" means the transportation cost for hauling postfilled beverage container types to a state-permitted disposal site (landfill, incinerator, or other type of state-permitted site), plus the specified disposal fee.

(18) "Division" means the Division of Recycling, which is within the Department of Conservation.

(19) (Reserved)

(20) "Dropoff or Collection Program" means a recycling program which does not pay refund value and accepts or collects empty beverage containers, and which cannot qualify as a curbside program as defined in Section 14509.5 of the Act. "Dropoff or Collection Program" also means a program which separates recyclables from mixed municipal waste. "Dropoff or Collection Program" does not mean a program which accepts or collects recyclable materials which have already been separated from mixed municipal waste. Dropoff or Collection Program includes a Neighborhood Dropoff Program which meets all of the criteria in Section 14514.4.1 of the Act.

(21) "Empty Beverage Container" means a beverage container which meets all the requirements in Section 14512 of the Act except that such term does not include refillable beverage containers.

(22) "Exemption" means an exclusion to the requirement that a recycling center must be established in a convenience zone.

(22.5) "Exempt convenience zone" or "Exempt zone" means a convenience zone which has been granted an exemption pursuant to Section 14571.8 of the Act.

(23) "Exporting" means the act of sending a filled or unfilled empty beverage container or empty beverage container component permanently out of this State.

(24) "Facility" means a recycling or processing operation that has been built, installed or established to serve as a collection or processing point for redeemable beverage containers.

(25) "Grandfathered" is a term which refers to recycling centers that meet the requirements of section 2500(c) of these regulations.

(26) "Importing" means the act of bringing into this State a filled or unfilled empty beverage container or empty beverage container component.

(27) "Indelibly" means that the redemption message is permanently affixed on the beverage container from the point of purchase until the point of redemption and cannot be smeared or removed during regular use.

(27.1) "Individual Commingled Rate" means a commingled rate approved by the Division which is applicable to dropoff or collection, community service, or curbside programs, which have obtained prior approval from the Division.

(27.5) "Interested person" means a supermarket, dealer, certified recycling center, person with a pending certification application, located in or in close proximity to the zone under consideration for an exemption or revocation of an exemption, or a local government agency with jurisdiction over the area where the zone under consideration for an exemption or revocation is located.

(27.6) "Line Breakage," for purposes of these regulations, means preconsumer material that is recycled or disposed of by a container manufacturer, beverage manufacturer, distributor, or dealer.

(27.7) "Letter of Denial" (LED) means a notice sent to program participants denying requests to conduct an individual commingled rate survey or denying approval of an individual commingled rate, or revoking an individual commingled rate for reason(s) indicated in the LED.

(28) "Location" means the street address where the facility operates.

(29) "Location of End Use" means the place where beverage containers or materials are physically reconstituted for purposes other than sorting, shredding, stripping, compressing, storing, landfilling, disposing, or other activities which do not result in recycling.

(29.5) "Low volume" means an average monthly volume, as defined at Section 14503.5 of the Act, which is less than the statewide average monthly volume of recycling centers in convenience zones. Average monthly volumes shall be calculated annually and shall apply during the calendar year immediately following the calculation.

(30) "Material" means the physical substance used to manufacture a beverage container or food and drink package including, but not limited to, aluminum, bimetal, glass, and plastic.

(30.7) "Milk" means the lacteal secretion which is obtained from the udder of a cow or goat.

(31) "Minimum Lettering Size" is applicable to the height of all the letters in the redemption message.

(32) "Nonaffiliated seller" means any person who sells scrap beverage container material types to a certified processor and is neither owned nor managed in common with such processor.

(32.4) "Notice of Denial" (NOD) means a notice sent to program participants denying requests for program payments, including handling fees, for reason(s) indicated on the notice. Handling fee notices will be sent for each denied site and will explain why the site was denied during a particular month.

(33) "Operator" means the person(s) or entity who has ultimate responsibility for a recycling facility, processing facility, dropoff or collection program, or community service program.

(34) "Person" means an individual, corporation, operation, or other entity, regardless of its form, subject to the Act.

(35) "Processor" means any person, including a scrap dealer, who purchases or offers to purchase empty beverage containers from more than one recycling center in this state and is responsible for canceling empty beverage container(s) in a manner prescribed in section 2000(a)(4) of these regulations.

(35.1) "Processor Invoice" means the report required in section 2425 of these regulations which the Department uses to determine payment to a certified processor.

(36) "Public Agency" means the city, county, district or other government entity which operates a curbside program or which has the authority to approve or acknowledge the operation of a curbside program.

(36.5) "Recycling Center" means those operations defined in Section 14520 of the Act and includes "Nonprofit Convenience Zone Recycler" as defined in Section 14514.7 of the Act and "Rural Region Recycler" as defined in Section 14525.5.1 of the Act.

(37) "Redeem" means to return an empty beverage container which bears the message as required in Section 14561 of the Act to a certified recycling or processing facility and receive refund value for the container.

(38) "Redeemable Beverage Container" means a container which bears the message as required in Section 14561 of the Act and has an established refund value.

(39) "Redemption Weight" is the weight of empty California redemption-labeled beverage containers.

(40) "Refund Value" means, in addition to the definition provided in Section 14524 of the Act, any amount paid by a noncertified recycler, dropoff or collection program, or

community service program, or any payments received by a noncertified recycler, in excess of:

(A) For aluminum, the scrap price as listed in the American Metal Market publication.

(B) For glass, plastic and bimetal, the portion of the processing payment which are the costs for the recycler, as determined by the Division pursuant to Section 14575 of the Act.

(41) "Rejected Container" means a California redemption-labeled beverage container, which a container manufacturer or beverage manufacturer elects to recycle or dispose of without paying any applicable processing fee, or which a distributor elects to recycle or dispose of without paying the redemption payment. "Rejected containers" includes container tops, lids, or other components which bear the message as required in Section 14561 of the Act.

(41.05) "Representation of Materials" means a typical collection of commingled container materials, of the same material type, representing a ratio of empty beverage containers and all other containers collected by the program and surveyed by the operator to determine an individual commingled rate for dropoff or collection, community service, or curbside programs.

(41.1) "Rural Region" means a non-urban area identified by the Division on an annual basis using Farmers Home Administration criteria. Such criteria for area include, but are not limited to, places, open country, cities, towns, or census designated places with populations less than 10,000. Areas with populations between 10,000 and 50,000 may be designated as rural unless identified as part of, or associated with, urban areas, as determined by the Department on a case by case basis.

(41.2) "Scrap", for purposes of these regulations, is any recyclable container, including food or drink packaging material, other beverage containers, other nonredeemable containers, out-of-state beverage containers, line breakage or rejected containers, of the same material composition as redeemable containers covered by the Act.

(42) "Scrap Value" is the total net payment per ton to any nonaffiliated seller in each of the following categories: Certified recycling centers, dropoff or collection programs, community service programs, registered curbside programs, and certified processors, for container material types.

(43) "Segregated" means divided by material type and that such divided load consists of 100% California Refund Value material.

(44) "Shipping Report" is the documentation of the receipt of material by a processor, or by a recycling center from another recycling center, dropoff or collection program, community service program, or curbside program. The shipping report is the basis for payments by the Division pursuant to Section 14573 of the Act.

(45) "Shrinkage" means the reduced value due to contamination of empty beverage containers by dirt, moisture, or other foreign substances.

(46) "Size" means the capacity of the beverage container in fluid ounces.

(47) "Statistical Sample" means an estimate with an 85% confidence level.

(47.1) "Supplemental Processor Invoice" means:

(A) A report to correct any shipping report(s) denied on the original processor invoice and/or

(B) A report to add any shipping report(s) to the original processor invoice for transactions that occurred within the same specific reporting period.

(47.2) "Total Net Payment", as used in subparagraph (a)(42) of this section and section 2425, means the amount paid for the reported monthly weight after deductions (e.g.,

transportation service) and additions (e.g., freight allowance) pertinent to the specific sales transaction have been made. "Total net payment" includes positive, zero and negative dollar amounts, as applicable. This subsection is not intended to relieve a processor of its obligation to pay refund value, administrative and processing payments pursuant to Sections 14539(b)(3) of the Act and sections 2400 and 2430 of this chapter.

(47.3) "Urban Area" means an area identified by the Division on an annual basis using Farmers Home Administration criteria. Such criteria for area include, but are not limited to, densely settled areas of continuous residential development with minimum population of 50,000. Areas with populations less than 50,000 and greater than 10,000 may be designated as urban unless identified as part of, or associated with, rural areas, as determined by the Department on a case by case basis.

(48) "Working Days" means all days except Saturdays, Sundays, and official California State Holidays.

(49) "Zonemate" means a supermarket which lies within the boundaries of a convenience zone other than the one that it creates.

Authority: Sections 14530.5(b), 14536(b), and 14536.1, Public Resources Code. Reference: Sections 14500, 14501(f), 14503, 14503.6, 14504, 14505, 14506.5, 14509.5(b), 14511.7, 14512, 14512.5, 14513, 14514.4.1, 14514.7, 14517, 14518, 14518.5, 14519.5, 14520, 14520.5, 14520.6, 14522.5, 14524, 14525.5.1, 14526, 14530, 14530.2, 14536(a), 14537, 14538, 14539, 14550, 14552, 14561, 14571.2, 14571.8(b), 14572, 14573, 14573.5, 14573.51, 14574, and 14575(a) and (b), Public Resources Code.

## SUBCHAPTER 2. GENERAL REQUIREMENTS

### Article. 4. General Accounting Requirements

#### §2090. REPORTS, NOTICES AND CLAIMS SUBMITTED TO THE DIVISION.

(a) Except where specifically provided otherwise, any reports, notices, and claims prepared pursuant to this chapter shall be prepared and submitted in the form designated by the Division. Only reports, notices, and claims in such form and bearing an original signature pursuant to subsection 2090(d)(4) shall be acceptable. The Division shall provide reporting forms to any person upon request.

(b) In lieu of submitting information on report forms provided by the Division, program participants who use Automated Data Processing (ADP) equipment for maintaining records and producing reports, may submit these ADP reports, provided that such reports:

- (1) are consistent with the recordkeeping requirements of these regulations; and
- (2) provide the information in the form and manner required by the Division.

Where magnetic tapes, diskettes, microfilms, or other ADP-produced reports are submitted in lieu of written reports, a representative of the submitting organization shall certify in accordance with subsections (d)(4) and (5) below, that these ADP reports are the actual records or were compiled from the actual records of the program participant.

(c) Except as provided in subsection (b) above, reports, notices, claims, and all applicable supporting data shall be accurate, complete, and typed or legibly handwritten in English using permanent ink. Errors shall be voided only by using a single line through the error. Correction fluid, correction tape or erasures shall not be used for correcting errors on any documentation required by or submitted to the Department.

(d) All reports and claims to support payments to or from the Division shall contain all of the following information:

(1) The full name, address, and identification number of the entity preparing the report; and

(A) For recycling centers, dropoff or collection programs, community service programs and processors, the identification number shall be the certification number designated by the Division.

(B) For all other persons, the identification number shall be the Seller's Permit Number as designated by the state pursuant to Revenue and Taxation Code Sections 6066 and 6067.

(C) If an entity preparing the report has no certification number or Seller's Permit Number, an identification number shall be obtained from the Division upon written request.

(2) The name and phone number of a contact person for purposes of the report; and

(3) The reporting period and date of preparation of the report; and

(4) The signature and title of the representative of the entity authorized to prepare the report. The signature block shall state that the information in the report or claim is correct to the best knowledge of the person submitting the report or claim; and

(5) The date and place of the signing of the claim or report.

(e) Failure to comply with any provision of this section, or other reporting requirements of this chapter, shall be grounds for the Division to reject or deny the report, notice or claim or take disciplinary action against the certificate holder pursuant to Section 14591.2(c) of the Act. Any such rejection shall not extend any applicable time period.

(f) In lieu of submitting multiple shipping reports to document transactions between affiliated recycling centers or the receipt of material by a recycling center or processor from a dropoff or collection program, community service program, or curbside program, certified processors and certified recycling centers may apply in writing to the Division for permission to file consolidated shipping reports.

(1) The Division shall approve or deny such requests within 45 days of receipt of the application; and, if the request is approved, a consolidated reporting number shall be issued to the applicant.

(2) The Division shall deny an application to file consolidated shipping reports if the recycling center or processor is not operating in compliance with Section 14538 or Section 14539 of the Act, as applicable.

(3) Upon obtaining written authorization from the Division, processors and recycling centers may consolidate their reporting records onto one shipping report for each delivery to another recycling center or processor and attach a detailed listing of each location's recycling activity for transactions from the effective date of the authorization forward.

(A) Processors and recycling centers shall retain copies of consolidated shipping reports and all supporting documentation.

(B) Consolidated shipping reports shall consist of the following general information, delivery-specific information and information related to totals (see Figure 8 for example):

1. Name and address of the receiving certified administrative office,
2. ~~Consolidated shipping report number~~, Certification number,
3. Material type,
4. Shipping report (DR-6) number,
5. Number of shipments,
6. Shipper's certification number,
7. Receipt and log dates, if applicable,
8. Received weight, excluding line breakage, rejected and out-of-state containers.



9. Redemption weight,
10. Adjusted redemption weight,
11. Refund value,
- ~~12. Processing payment,~~
- ~~14. 12.~~ For glass collected from curbside programs that meets the requirements of Section 2850(e), the sorting facility shall be identified as either the Shipper (S), or the Receiver (R).
13. Total payments,
- ~~15. 14.~~ Total received weight, **excluding line breakage, rejected and out-of-state containers.**
- ~~16. 15.~~ Total redemption weight claimed,
- ~~17. 16.~~ Total adjusted redemption weight,
- ~~18. 17.~~ Total refund value,
- ~~19. Total processing payment, and~~
- ~~20. 18.~~ Total payments.

(4) The Division shall revoke authorization to file consolidated shipping reports if the recycling center or processor is not operating in compliance with Section 14538 or Section 14539 of the Act, as applicable.

<b>CONSOLIDATED SHIPPING REPORT FORM</b>							
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p><b>EXAMPLE</b> <b><u>RECEIVING CERTIFIED ADMINISTRATIVE OFFICE</u></b></p> <p>NAME: _____</p> <p>ADDRESS: _____</p> <p style="text-align: center;">_____ 1 _____</p> <p>CONSOLIDATED REPORTING #: _____</p> <p style="text-align: center;">_____ 2 _____</p> </div> <div style="width: 45%;"> <p>MATERIAL TYPE: _____ 3 _____</p> <p>SHIP REPORT #: _____ 4 _____</p> <p># OF SHIPMENTS: _____ 5 _____</p> </div> </div>							
SHIPPER CERT	RECEIPT & LOG DATES	RECEIVED WEIGHT	REDEMPTION WEIGHT	ADJUSTED REDEMPTION WEIGHT	REFUND VALUE	PROCESSING FEE	TOTAL PAYMENTS
6	7	8	9	10	11	12	13
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>TOTALS</p> </div> <div style="width: 45%;"> <p style="text-align: center;">14</p> <p style="text-align: center;">15</p> <p style="text-align: center;">16</p> <p style="text-align: center;">17</p> <p style="text-align: center;">18</p> <p style="text-align: center;">19</p> </div> </div>							
<p><small>*IF ANY PAYMENTS MADE TO RECYCLERS WERE REDUCED DUE TO THE RECEIVED WEIGHT BEING LESS THAN THE REDEMPTION WEIGHT BY MORE THAN 2.5%, INDICATE THE REDUCED REDEMPTION WEIGHT AND VALUE. SEE SECTION VI – C FOR FURTHER INFORMATION.</small></p>							

Figure 8.

EXAMPLE

EXAMPLE

**CONSOLIDATED SHIPPING REPORT (Detail Form)****RECEIVING CERTIFIED ADMINISTRATIVE OFFICE**NAME: \_\_\_\_\_ 1 \_\_\_\_\_MATERIAL TYPE: \_\_\_\_\_ 3 \_\_\_\_\_

ADDRESS: \_\_\_\_\_

SHIP REPORT #: \_\_\_\_\_ 4 \_\_\_\_\_# OF SHIPMENTS: \_\_\_\_\_ 5 \_\_\_\_\_CERT.#: \_\_\_\_\_ 2 \_\_\_\_\_

SHIPPER CERT #	RECEIPT & LOG DATES	RECEIVED WEIGHT	REDEMPTION WEIGHT	ADJUSTED REDEMPTION WEIGHT	REFUND VALUE	QGIP	TOTAL PAYMENTS
6	7	8	9	10	11	12	13
_____	_____	_____	_____	_____	_____	_____	_____
TOTALS:		14	15	16	17		18
		_____	_____	_____	_____	_____	_____

**NOTE: If payments made to recyclers were reduced due to the redemption weight exceeding the received weight by more than 2.5%, indicate the received weight as the adjusted redemption weight and record the corresponding reduced refund value.**

Figure 8.

Authority Sections: 14530.5(b) and 14536, Public Resources Code. Reference: Sections 14511.7, 14518.5, 14538, 14539, 14541, 14549.1, 14550, 14551, 14552 and 14553, Public Resources Code; Sections 6066 and 6067, Revenue and Taxation Code.

#### §2105. PERSONS CERTIFIED AS BOTH PROCESSORS AND RECYCLING CENTERS (DUAL CERTIFIED ENTITIES).

(a) All persons certified as both a processor and a recycling center ("dual certified entities") shall receive material from other recycling centers, curbside programs, dropoff or collection programs and community service programs as a processor. All receipts or reports of such transactions requiring the certification number shall be filled out with the processor certification number.

(b) For the purpose of complying with section 2420(b) of these regulations, a dual certified entity may summarize the total weight purchased at its recycling center for each shipping report period and record the information in the received weight section of the shipping report (DR-6 ~~(01/02)~~ **(11/05)**). If this method is used, the dual certified entity shall ~~prepare and retain a weight ticket indicating the summarized weight and the first and last weight ticket or receipt number for the period.~~ **use its daily summaries to summarize the total refund value from each reporting period and record that information on the DR-6. The total redemption weight will then be calculated, based on the refund value, and recorded on the DR-6.** Out-of-state material, rejected material, and line-breakage material shall not be included in the summarized received weight.

(c) For the purpose of complying with section 2425(d) of these regulations, a dual certified entity may prepare more than one shipping report (DR-6 ~~(01/02)~~ **(11/05)**) for transfers of material between its recycling center and its processor for each processor reporting period. If refund values, processing fees, administrative fees, or if any rate changes during a processor reporting period, a separate shipping (DR-6 ~~(01/02)~~ **(11/05)**) report shall be prepared for each rate or fee change within that processor reporting period. The received date recorded on each shipping report shall be the last day of the receipt and log period.

Authority: Sections 14530.5(b) and 14536, Public Resources Code. Reference: Sections 14540, 14549.1, 14572 and 14573.5, Public Resources Code.

#### §2110. CANCELED MATERIALS AND REJECTED CONTAINERS.

(a) Except as specified in subsection (b) of this section, no person shall pay or receive a refund value, processing payment, administrative fee, handling fee or other payment mandated by the Act or this chapter for any material that has been canceled, any rejected containers, or any line breakage containers.

(b) The Division shall pay applicable payments or fees to a processor for material canceled by the processor and reported pursuant to section 2425 of these regulations.

(1) A processor may issue a written authorization, for a period not to exceed one year, to a recycling center or another processor to cancel material.

(2) The processor shall submit a copy of the authorization in (b)(1) above to the Division at least 12 days prior to its effective date. The Division shall modify the beginning or ending dates, if the authorization is not submitted 12 days prior to its effective date or exceeds the one-year limitation in 2110(b)(1) above. The Division shall have the authority to deny the authorization and must notify the parties of such denial, in writing, prior to the date the authorization would have become effective. If the Division does not deny the

authorization, in writing, prior to the effective date the authorization shall be deemed approved.

(A) The Division may deny an authorization to cancel only upon the grounds enumerated as follows:

1. If aluminum beverage containers, the recycling center or another processor does not have the capability to shred the material or densify the material to at least 15 pounds per cubic foot.

2. If, for any beverage container type, the recycling center or another processor has been found to be in violation of sections 14538(b) or 14539(b) of the Act within the prior two year period of the requested date of the authorization to cancel and the violation(s) has (have) not been corrected.

(3) Notwithstanding (1), above, a processor shall not issue an authorization to a recycling center or another processor to cancel aluminum beverage containers unless such recycling center or processor either shreds the material or densifies the material to no less than 15 pounds per cubic foot prior to cancellation by shipment to a location of end use or shipment out-of-state and the processor has verified that the recycling center or processor has the equipment to densify, or shred, and that the equipment is properly functioning at the time the authorization is given.

(4) The authorization in (b)(1) above shall contain all of the following information:

(A) The dates during which it shall be in effect.

(B) The certification numbers of both the recycling center or other processor and the authorizing processor.

(C) The material type which the recycling center or other processor is being authorized to cancel and the method of cancellation.

(D) The manufacturer and model number of the equipment being utilized to cancel the material, if applicable, and the manner by which the processor verified that the equipment is properly functioning.

(5) The Division shall have the authority to immediately revoke, effective upon written notification to both parties, any authorization to cancel aluminum beverage containers if the authorized recycling center or other processor is no longer capable of shredding or densifying to at least 15 pounds per cubic foot, or does not do so.

(6) The Division shall have the authority to immediately revoke, effective upon written notification to both parties, an authorization to cancel for any beverage container type, if the recycling center or other processor is found to be in violation of sections 14538(b) or 14539(b) of the Act.

(7) Notwithstanding section 2000(a)(4), material disposed of pursuant to section 2410 shall be deemed canceled.

(c) For material not physically delivered to a processor pursuant to this section and section ~~2430(a)(6)~~ 2430(a)(3) of these regulations for which the processor paid, or will pay, the refund value, the Division shall have the authority to inspect the load or loads of material, and examine the records pertaining to such loads, at the location of end use or any other location where the material was physically delivered.

Authority: Sections 14530.5(b) and 14536, Public Resources Code. Reference: Sections 14518, 14518.5, 14538, 14539, 14552.51, 14553, 14573 and 14573.5, Public Resources Code.

## SUBCHAPTER 5. PROCESSORS

### Article 1. Requirements for Processors

#### §2401. LOAD INSPECTION REQUIREMENTS.

(a) Certified processors shall inspect each load of containers, subject to the Act, delivered to the processor, for which refund value is claimed, to determine whether the load is eligible for any refund value and, if so, to determine whether the load is segregated or commingled, as follows:

(1) For any load delivered to a processor from a dropoff or collection program, community service program, curbside program or recycling center, each processor taking delivery of the material shall visually inspect each load of material by monitoring the unloading and/or conveyor process to determine eligibility and whether the load is segregated or commingled.

(b) In addition to the requirements of section 2110 of these regulations, a load of aluminum material shall be deemed not eligible for any refund value if there are pieces of broken, densified bales or biscuits of aluminum beverage containers within the load. This does not include cans which have merely been flattened. A load of plastic material shall be deemed not eligible for any refund value, if pieces of bales of plastic are found in the load.

(c) Once eligibility is determined, payment shall be calculated pursuant to section 2430 of these regulations.

(d) All out-of-state material, whether labeled with the message required in Section 14561 of the Act or not, and all rejected **and line breakage** containers are not eligible for any refund value payments.

**(e) Notwithstanding Section 2530(b)(1) of these regulations, a certified processor shall not inspect, weigh or receive a load of material subject to the Act from a recycling center unless and until the shipper's section of the shipping report is completed and accompanies the load of material delivered to the certified processor's site.**

**(f) All rejected, line breakage or out-of-state containers in the load, whether labeled or not with the message required in Section 14561 of the Act, must be excluded from the received weight of the load .**

Authority: Sections 14530.5 and 14536, Public Resources Code. Reference: Sections 14539 and 14553, Public Resources Code.

### Article 3. Accounting and Reporting Requirements

#### §2420. RECORDKEEPING.

Processors shall maintain the following records in accordance with the general requirements set forth in section 2085 of these regulations.

(a) Shipping reports. Processors shall obtain shipping reports from each recycling center and also prepare shipping reports for material received from all other persons. Processors shall retain copies of all shipping reports.

(b) Weight tickets. Processors shall prepare and retain weight tickets indicating material and weight of individual loads of beverage containers by material type received from recycling centers and other persons. A copy of any weight ticket prepared pursuant to this section shall be provided to the shipper unless the receiving processor and the shipper are the same person and located at the same physical address or location.

(c) Processor reports to the Division. Processors shall retain copies of reports to the Division pursuant to section 2425 of these regulations.

(d) Verification of cancellation. Processors shall retain proof that the processor canceled or had canceled in accordance with section 2000(a)(4) of these regulations all empty beverage containers received. The verification shall include:

(1) For shipments by sea, the proof of cancellation by export from the state shall be the on-board bill of lading.

(2) For other shipments out of the State or to a location of end use, the proof of cancellation shall include a receipt issued by the person receiving the shipment and any applicable bill of lading.

(3) For other forms of cancellation defined in section 2000(a)(4) of these regulations, proof shall be a certification prepared in accordance with subsection 2090(d) of these regulations and signed by the person performing the cancellation. The certification shall identify the cancelled materials, the date of cancellation, and the method of cancellation, pursuant to subsections 2000(a)(4)(A), (B), (C), (D), (E) or (F) of these regulations.

(e) Records of processor to processor transactions. Processors shall prepare and retain a record of all exchanges of materials subject to the Act. Such records shall identify:

(1) The shipping processor and the receiving processor(s):

(2) The date of the shipment, material type, and the weight of the material; and

(3) The amount of mixed-color glass collected by curbside program(s).

(f) Notices of Disposal. Processors shall retain copies of written notices of disposal sent to the Division pursuant to section 2410 of these regulations.

(g) The processor shall prepare and retain a receipt setting forth the weight and type of material delivered to the processor and payment made or credit granted for all scrap transactions. In addition, the receipt shall indicate if the load consisted of rejected containers, line-breakage containers, or out-of-state beverage containers.

(h) Records of scrap value survey data. Processors shall maintain records to support all of the information provided to the Division on the Scrap Value Purchases Survey Form DOR – SV (10/00) required by Section 2425(f) of this subchapter.

Authority: Sections 14530.5, 14536, and 14536.1, Public Resources Code. Reference: Sections 14504, 14537, 14539, 14550, 14552, and 14575, Public Resources Code.

## §2425. REPORTING.

The processor initially receiving material from recycling centers, curbside programs, dropoff or collection programs, or community service programs shall prepare and submit to the Division the report described in this section.

(a) The report shall be submitted monthly or, at the option of the processor, ~~twice monthly, or~~ up to ~~four times per~~ eight times per calendar month. The reporting periods for the month must cover from the beginning to the end of the calendar month and not overlap any days.

(1) All reports shall be submitted no later than the 10th day after the last day of the reporting period . ~~For example, if the reporting period covers the 1st through the~~

~~7th of the month, the reports shall be submitted no later than the 17th of the month. If the reporting period covers the 8th through the 14th of the month, the reports shall be submitted no later than the 24th of the month. If the reporting period covers the 15th through the end of the month, the reports shall be submitted within 10 days of the last day of the month covered by the report.~~

~~(2) One supplemental processor invoice per material type per original reporting period shall be allowed, provided it is submitted no later than forty-five (45) days from the following events:~~

(2) Processors shall be allowed to submit no more than four supplemental processor invoices per material type, per original processor invoice, provided each is submitted no later than forty-five (45) days from the following events:

(A) The due date of the original processor invoice end of the reporting period that the supplemental processor invoice covers, if it is for new shipping reports not previously submitted with the original processor invoice being supplemented for that reporting period; or

(B) The date appearing on the Notice of Denial (NOD) if the reports were previously denied or if the reports are a combination of new shipping reports not previously submitted with the original processor invoice and previously denied shipping reports.

~~(3) A second supplemental processor invoice per material type per original reporting period shall be allowed, provided it is submitted no later than six months from the events in section 2425(a)(2)(A) or (B).~~

(3) Processors shall be allowed to submit no more than two amended processor invoices per material type, per original processor invoice, provided each is submitted no later than ninety (90) days after the due date of the original processor invoice being amended.

~~(4) One amended processor invoice per material type per reporting period shall be allowed, provided it is submitted no later than ninety (90) days after the end of the reporting period.~~

~~(5) A second amended processor invoice per material type per reporting period shall be allowed, provided it is submitted no later than six months after the end of the reporting period.~~

~~(6)~~ (4) Nothing herein shall limit the Division's authority to accept an amended processor invoice which will result in money being owed to the State of California.

(b) The report shall contain the following information, by material type, in addition to the general requirements for reporting contained in section 2090 of these regulations.

(c) A summary of the processor's transactions during the period covered by the report, including all of the following information:

(1) The total weight of all material, including empty beverage containers received by the processor; and

(2) The total weight of empty beverage containers received, and the refund value, and applicable administrative and processing payments paid for such material by material type; and

(3) The computation and amount of the total processing payment due for the reporting period; and

(4) The computation and amount of the total administrative fee due for the period; and

(5) Total payments requested from the Division for the period. These payments are computed as the sum of the total reported refund value, the administrative fees due, and the processing payments due; and

(6) A statement indicating whether the materials which are the subject matter of the report are "for recycling" or "not for recycling."

(d) Each report shall also include copies of the shipping reports for the period of the report. The total number of shipping reports included shall be specified.

(e) Each report shall also contain a shipping report prepared by the processor for each shipment of materials received from any curbside program, dropoff or collection program, or community service program, and a shipping report for each shipment of materials received from a recycling center that has been prepared by the recycling center and completed by the processor. **The Each report shall include all of the following information:**

(1) The name, address, and identification number or certification number, of the entity shipping the material to the processor, as well as the name and telephone number of a contact person; and

**(2) The name and the certification number of the processor receiving the material; and**

**(3) The date the material was received and the material type covered by the report; and**

~~(2)~~ **(4)** The received weight, excluding line breakage, rejected containers, and out-of-state containers; and

~~(3)~~ **(5)** The redemption weight; and, for glass collected from curbside programs that meets the requirements of Section 2850 (e), the sorting facility shall be identified as either the Shipper (S), or the Receiver (R) in the **Glass Shipped Box QGIP (Quality Glass Incentive Payment) Box.**

~~(4)~~ **(6)** The refund value paid; and

~~(5)~~ **(7)** The total administrative fees paid, when applicable; and

~~(6)~~ **(8)** The processing payments paid; and

~~(7)~~ **(9)** The **printed name, title and** signature of the shipper or an authorized representative of the shipper and date signed; and

~~(8)~~ **The weight ticket date; and**

~~(9)~~ **(10)** The weight ticket number; and

~~(10)~~ **The basis for payment, when applicable; and**

(11) The shrinkage deduction taken, if any; and

(12) The **printed name, title and** signature of an authorized representative of the processor **and the date signed.**

(f) Additionally, each certified processor shall submit a Scrap Value Purchases Survey Form DOR – SV (10/00) report for purchases of beverage container material types every month. The DOR – SV (10/00) Scrap Value Purchases Survey Form shall be submitted to the Division no later than the 10th day of the month following the month of the report. The DOR – SV (10/00) Scrap Value Purchases Survey Form must be submitted regardless of whether or not purchases occurred in the applicable time period. In addition to the general requirements for reporting contained in section 2090 of these regulations, the DOR – SV (10/00) Scrap Value Purchases Survey Form shall contain all of the following information, if applicable:

(1) The processor's name, address and certification number, physical address, including city, phone number and date prepared; and,

(2) The month covered by the report; and



(3) The total weight, in tons, of each beverage container material type purchased, even if zero, from nonaffiliated sellers, excluding beverage container material types received in a form mixed with other beverage material types or material types not covered by the Act, in each of the following categories: certified recycling centers, dropoff or collection programs, community service programs, processors, registered curbside programs, any certified and non-certified entities; in the case of glass, beneficiating and nonbeneficiating processors shall be reported separately; and,

(4) The total weight, in tons, of each beverage container material type received from affiliates and/or subsidiaries. Beverage container material that processors receive in a form mixed with other beverage container material types and/or material types not covered by the Act, whether from affiliates or nonaffiliates, shall be reported with the affiliated transaction after the material has been sorted and the received weight determined.

(5) The total net payment for the reported total monthly weight, in tons, for each beverage container material type purchased, by the reporting processor from nonaffiliated sellers in each of the categories listed in item 3 above; and

(6) For glass only, the monthly total weight, in tons, of purchased beverage container material types by color; and the monthly total weight of color sorted or mixed glass purchased from any non-affiliated beneficiating or nonbeneficiating processor; and

(7) For plastic, the monthly total weight in tons, of purchased beverage containers material types, by each plastic resin code type (1 through 7); and

(8) The printed name and signature of an authorized representative of the reporting processor.

(g) Processors purchasing materials directly from more than one curbside program, dropoff or collection program, or community service program may apply to the Division to request the use of alternative methods for preparing the corresponding shipping reports. The Division shall consider each proposed alternative method and issue a written approval or denial within forty-five (45) calendar days.

(1) In order for alternative methods to be accepted, they must be based on reasonable allocation methods.

(2) An application for an alternative allocation method shall be denied if:

(A) The received weight of the material purchased by an entity from the processor is not used to calculate allocations to the curbside programs, dropoff or collection programs, or community service programs; or

(B) The processor does not ensure that the weight of rejected containers, line breakage, and out-of-state containers is not included in the allocated weight (this does not require a physical separation); or

(C) The processor does not account for each incoming load of material; or

(D) The processor does not inspect incoming material to verify that it is eligible for refund value payments, as specified in section 2401.

(3) Processors may file a formal appeal by writing the Assistant Director for Recycling within thirty (30) calendar days after the receipt of a notice denying an application requesting an alternative method for shipping report preparation. Appeals submitted after this time period shall be rejected. All written appeals shall include:

(A) A copy of the notice denying the allocation method;

(B) A detailed explanation of why the determination was in error; and,

(C) Any other documentation that supports the appeal.

(4) A written decision on the appeal shall be sent to the processor within seven (7) calendar days of the receipt of the appeal.

(h) Processors purchasing commingled glass from a certified dropoff or collection program including a “waste reduction facility”, a certified community service program, or a registered curbside program, shall visually inspect every load delivered to determine eligibility for refund value and the level of contamination in the load. If a load presented to a processor is eligible for refund value and has residual or other contamination, the processor shall reduce the load for shrinkage. If a load has a residual or other contamination level of greater than 10% by weight, and the load is otherwise eligible for refund value, the receiving processor shall request an alternative method of preparing the shipping report for payment. The Division shall consider each proposed alternative method and issue a written approval or denial within forty-five (45) calendar days.

(1) In order for the alternative method to be accepted, it must:

(A) Be based on a recycled glass cleaning process that produces cullet which meets the American Society for Testing and Materials standard specification for waste glass as a raw material for the manufacture of glass as specified in Section 2000(a)(3.1)(A).

(B) Clearly state:

1. That the received weight, for beverage container redemption purposes, shall be determined from the cullet produced in (A) above.

2. That the redemption weight shall be determined using the applicable commingled rates and the received weight from (i).

3. That, if a sampling procedure will be used to determine the received weight of contaminated loads from each entity, the sampling procedure must be included with the request for an alternative method of preparing the shipping report.

(2) An application for an alternate method will be denied if:

(A) The total weight of all contaminated materials received at the facility is not recorded.

(B) All material received at this facility is not inspected for the presence of out-of-state, rejected, or line breakage containers and this weight excluded from shipping reports.

(C) Records accurately supporting both cullet sold and residual or contaminated material disposed of or used for an alternative market is not made available to Department staff upon request.

(D) The method does not clearly account for the weight of empty beverage containers for each certified dropoff or collection program including a “waste reduction facility”, certified community service program, or registered curbside program from which the processor receives this material.

(3) When used in this subsection, "waste reduction facility" means a dropoff or collection program certified by the Department, which separates beverage container material types from mixed waste.

Authority: Sections 14530.5, 14536, and 14536.1, Public Resources Code. Reference: Sections 14504, 14515.5, 14518.5, 14519.5, 14537, 14539, 14549.1, 14550, 14552, 14552.51, 14575 and 18015, Public Resources Code.

## §2430. PAYMENTS.

(a) Payments to recycling centers.

**~~(1) Substantiation of payment. Notwithstanding Section 2530(b)(1) of these regulations, a certified processor shall not inspect, weigh or receive a load of material subject to the Act unless and until a completed shipping report accompanies the load of material delivered to that certified processor's site. The processor shall weigh the material, inspect the material pursuant to Section 2401 of these regulations and compare the total received weight of the material with the~~**

shipment of the total redemption weight as set forth in the shipping reports, which shall accompany the shipment of material pursuant to section 2530 of these regulations. If the received weight is sufficient to support the redemption weight claimed by the recycling center, the processor shall pay in accordance with (2)(A) below. If the total received weight is not sufficient to support the redemption weight claimed by the recycling center, the processor shall pay in accordance with (2)(B) or (2)(C) below. The processor shall complete the shipping report as outlined below and shall return an exact duplicate (not a photocopy) of the completed shipping report to the recycling center. The processor shall complete the shipping report by:

(A) weighing and certifying the total received weight of the shipment; and  
(B) verifying the calculations on the shipping report, including the calculations of refund value, and processing payments, considering any appropriate adjustments pursuant to (2) below; and

(C) signing and dating the shipping report to verify the receipt of the material as indicated on the report; and

(D) indicating in writing if the material received has been canceled as authorized pursuant to subsection 2110(b) of these regulations.

(E) indicating whether the load is segregated or commingled.

(2) Calculation of payment and fee. Processors shall pay for the lesser of (A) or (B):

(A) all reported refund value paid by the recycling center to consumers or to another certified recycling center, as documented by the shipping report; or

(B) the refund value appropriate for the weight of material actually delivered to the processor. If redemption weight is reduced pursuant to this section, the refund value, and processing payments shall be reduced proportionately.

(C) Notwithstanding subsection (2)(B) above, the refund value, and processing payments shall not be reduced when the redemption weight does not exceed the total received weight by more than two and one-half percent (2 1/2%) of such total received weight. When this weight variance exceeds two and one-half percent (2 1/2%), the refund value and processing payments shall be reduced pursuant to subsection (2)(B) above.

(3) Payments shall also include three-fourths of one percent (3/4%) of refund value to be paid by the processor for administrative fees and a portion of the processing payment.

(4) Except as provided in 2(C) above, a processor shall not pay refund value payments in excess of that warranted by the received weight of a shipment.

(1) Substantiation of payment. The processor shall weigh, and pursuant to section 2401, inspect all loads received from recycling centers before completing the receiver's section of the shipping reports. The processor shall do all of the following for materials received from recycling centers:

(A) Verify all calculations are accurate and that all other pieces of information shown on the shipping report, including signatures, are filled in.

(B) Record the received weight, excluding the weight of rejected containers, line breakage and out-of-state containers provided by the shipping recycler, onto the shipping report.

(C) Sign and date the shipping report to verify the receipt of the material as indicated on the report.

(D) Calculate the refund value payment. If the redemption weight does not exceed the received weight by more than 2.5 percent, then the processor shall

reimburse the recycler the refund value claimed. Otherwise, the processor shall multiply the received weight by the segregated rate per pound and record that amount as the refund value paid.

(E) Calculate the processing payment. If the redemption weight does not exceed the received weight by more than 2.5 percent, then the processor shall multiply the redemption weight claimed by the processing payment in effect on the date the material was received and pay that amount. Otherwise, the processor shall multiply the received weight by the processing payment in effect on the date the material was received and pay that amount.

(F) Calculate the administrative fee. The processor shall multiply the refund value paid from (D) by the administrative fee rate in effect on the date the material was received and pay that amount.

~~(5)~~ (2) In addition to the provisions of this section, Processors shall not make any payments pursuant to the Act for materials which have not been delivered to the processor unless the following conditions are met:

(A) The shipper is a certified recycling center to which the processor has given authorization to cancel pursuant to section 2110 of these regulations; and

(B) The delivery to a location of end use and cancellation are verified in accordance with section 2420(d) of these regulations.

~~(6)~~ (3) In the case of processors that do not take delivery of the material, the weight shall mean the weight received by the entity to whom the material is physically delivered.

~~(7)~~ (4) In no case shall a processor make any payments pursuant to the Act for any material which the processor has rejected for any reason.

(b) Payments to curbside programs. Processors shall pay the refund value, administrative fees and any applicable processing payments for materials delivered to the processor from curbside programs. Processors shall adjust the refund value rate to account for shrinkage in the same manner as set forth in subsection 2535(e) of these regulations.

(1) Substantiation of payment. The processor shall compute the refund value, administrative fees and applicable processing payments based upon the materials delivered on the shipping report prepared pursuant to subsection 2425(c) of these regulations. The processor shall provide a duplicate copy of the shipping report to the shipper. Notwithstanding any other provision of this subchapter, curbside programs may not be paid at more than the applicable statewide average commingled rate, or the Division's approved individual commingled rate.

(2) Calculation of payment and fee.

(A) The processor shall pay based on ~~actual~~ the received weight of the materials ~~received, excluding the weight of rejected, line breakage and out-of-state containers, by material type multiplied by: the applicable statewide average commingled rate, or the Division's approved individual commingled rate, multiplied by the sum of:~~

1. the segregated refund value per pound; and the statewide commingled rate, or the Division's approved individual commingled rate in effect on the date received; and

2. any applicable processing payment per pound for that material type the per pound processing payment in effect on the date received, when applicable.

(B) In addition, administrative fees shall be calculated as three-fourths of one percent (3/4%) of the total refund value.

(c) Payments to dropoff or collection programs and community service programs. Processors shall adjust the refund value rate to account for shrinkage in the same manner as set forth in subsection 2535(e) of subchapter 6 of these regulations. Notwithstanding any other provision of this subchapter, dropoff or collection, and community service programs may not be paid at more than the applicable statewide average commingled rate, or the Division's approved individual commingled rate.

(1) Substantiation of payment. Based upon materials received, the processor shall prepare a shipping report which states the refund value and applicable processing payments paid. The shipping report shall be prepared pursuant to subsection 2425(c) of these regulations. The processor shall provide a copy of the shipping report to the shipper.

(2) Calculation of payment and fee.

(A) The processor shall pay based on ~~actual~~ the received weight of the materials ~~received, excluding the weight of rejected, line breakage and out-of-state containers, by material type,~~ multiplied by: ~~the applicable statewide average commingled rate, or the Division's approved individual commingled rate, multiplied by the sum of the following:~~

1. the segregated refund value per pound the statewide commingled rate, or the Division's approved individual commingled rate in effect on the date received; and

2. any applicable processing payment. Processing payments shall be calculated using the applicable commingled rate. the per pound processing payment in effect on the date received, when applicable.

(d) Payments for canceled material. The authorizing processor shall make payment in accordance with Section 14573.5 of the Act, to recycling centers for canceled material provided the material is shipped to the authorizing processor or to a location designated by the authorizing processor. For such transactions, program payments will be issued by the Division to processors issuing the written authorization to cancel. Program payments will not be issued by the Division to processors for loads for which they have received authorization to cancel.

Authority: Sections 14530.5 and 14536, Public Resources Code. Reference: Sections 14518.5, 14539, 14552(a), 14572 and 14573.5, Public Resources Code.

## SUBCHAPTER 6. RECYCLING CENTERS

### Article 1. Requirements for Recycling Centers

#### §2501. LOAD INSPECTION REQUIREMENTS.

(a) Certified recycling centers shall inspect each load of containers, subject to the Act, delivered to the recycling center, for which refund value is claimed, to determine whether the load is eligible for any refund value and, if so, to determine whether the load is segregated or commingled, as follows:

(1) For transactions with consumers, the recycling center shall remove the containers from any bag, box or other receptacle used to deliver the material to the recycling center and visually inspect the containers prior to determining the basis for payment and paying the seller. In no case shall a certified recycling center pay or claim the refund value for any material not inspected by the recycling center.

(2) For any load delivered to a recycling center, from a dropoff or collection program, community service program, curbside program or other recycling center, each recycling center taking delivery of the material shall visually inspect each load of material by monitoring the unloading and/or conveyor process to determine eligibility and whether the load is segregated or commingled.

(b) In addition to the requirements of section 2110 of these regulations, a load of material shall be deemed not eligible for any refund value if any one of the following conditions exist:

(1) There are pieces of broken, densified bales or biscuits of aluminum beverage containers within the load. This does not include cans which have merely been flattened.

(2) Pieces of bales of plastic are found in the load.

(3) The motor vehicle, if any, used to deliver the load has a license plate from any foreign country, or any state other than California, unless all of the following conditions are met:

(A) The person delivering the load is not a noncertified recycler, as defined at Section 14520.6 of the Act; and,

(B) The total refund value of material delivered by any one person per day does not exceed fifty (50) dollars (\$50.00); and,

(C) The load is not ineligible pursuant to subsection (b)(1), above.

(c) Once eligibility is determined payment shall be calculated pursuant to section 2535(d), of these regulations.

(d) All out-of-state material, whether labeled with the message required in Section 14561 of the Act or not, and all rejected **and line breakage** containers are not eligible for any refund value payments.

**(e) All rejected, line breakage or out-of-state containers in a load delivered from another recycling center, dropoff or collection program, community service program or curbside program, whether labeled or not with the message required in Section 14561 of the Act, must be excluded from the received weight of the load.**

**(f) All loads containing out-of-state material received from consumers are not eligible for any refund value payments.**

**(g) Loads received from consumers shall have rejected or line breakage containers removed from the load or the load is not eligible for any refund value payments.**

Authority: Sections 14530.5 and 14536 Public Resources Code. Reference: Sections 14538 and 14553, Public Resources Code.

### Article 3. Accounting and Reporting Requirements

#### §2530. REPORTING.

Recycling centers shall prepare and submit all of the following reports in accordance with the general requirements for reporting of section 2090 of these regulations.

(a) A shipping report for each delivery (of material subject to the Act) between:

(1) the recycling center and any other recycling center; or

(2) the recycling center and the processor; or

(3) the recycling center and a dropoff or collection program, community service program or curbside program, as provided in subdivision (f), below.

(b) The shipping recycling center shall indicate on the shipping report all information listed under subsection 2530(e)(1) through (6), provide the shipping report containing this

information to the person receiving the shipment and shall retain a completed copy; the shipping report shall accompany the material shipped, except as noted in (1) below. For shipments to processors, the recycling center shall receive a copy of the completed shipping report from the processor upon payment, pursuant to section 2430(a)(1) of these regulations.

(1) In the case of glass, recyclers may add up the daily summaries until total weight is equal to received weight and claim the corresponding redemption weight and refund value. In such cases, a shipping report need not accompany the load.

(c) The shipping report shall be based upon any receipts or log entries prepared pursuant to section 2525 above, or any shipping reports for material received by recycling centers from other recycling centers.

(d) Copies of any shipping reports for material received by a recycling center from other recycling centers, dropoff or collection programs, community service programs, or curbside programs, shall be appended to the shipping report prepared pursuant to this section.

(e) Except as provided for in subsection (f) below, a separate shipping report shall be prepared for each material type and shall include all of the following information:

(1) The name, address, and certification number of the recycling center shipping the material as well as the name and telephone number of a contact person; and

(2) The name and certification number of the recycling center or processor receiving the material; and

(3) The period and the material type covered by the report; and

(4) The following information based upon the information contained in the receipts and logs and the received shipping reports:

(A) The redemption weight of the material.

(B) The total refund value.

~~(C) For shipments to a processor, any applicable processing payment.~~

~~(D) The subtotals of subsections (4)(A), (4)(B), and (4)(C), above.~~

(5) The number of attached shipping reports which pertain to material included in the shipment.

(6) The **printed name, title and** signature of an authorized representative of the recycling center and the date signed.

(f) For material received by the recycling center from a dropoff or collection program, community service program or curbside program, the recycling center shall prepare a separate shipping report for each material type and provide a copy of the completed shipping report to the shipping dropoff or collection program, community service program or curbside program. Shipping reports prepared pursuant to this subsection shall contain all of the following information:

(1) The name, address, certification or identification number for the entity shipping the material, as well as the name and telephone number of a contact person; and

(2) The name and certification number of the recycling center receiving the material; and

(3) The date the material was received and the material type covered by the report; and

(4) The received weight, excluding rejected containers, line breakage, and out-of-state containers; and

(5) The ~~total~~ refund value paid; and

(6) The **printed name, title and** signature of the shipper or an authorized representative of the shipper and the date signed; and

(7) The **printed name, title and** signature of an authorized representative of the recycling center and the date signed; and

(8) The weight ticket number; and

~~(9) The basis for payment; and~~

~~(10) (9) The shrinkage adjustment deduction taken,~~ if any.

~~(11) (10) The redemption weight; and, for glass collected by curbside programs that meets the requirements of Section 2850 (e), the sorting facility shall be identified as either the Shipper (S), or the Receiver (R) in the Glass Shipped Box QGIP (Quality Glass Incentive Payment) Box.~~

(g) For material received by a recycling center from another recycling center, the receiving recycling center shall ensure that all the information specified in subsection 2530(f)(1) through (8) is recorded on the report and provide a copy of the completed shipping report to the shipping recycling center.

(h) To obtain handling fees, only those recycling centers eligible for such fees, as described in section 2516 shall submit a Handling Fee Application Form (Form DR-14) (1/00) to the Division for the calendar month for which handling fees are being claimed. The Form DR-14 (1/00) shall be postmarked no later than the first day of the second month following the reporting month. Forms postmarked after this date, and incorrectly completed forms, will be denied for payment and the handling fee will be forfeited for that calendar month. Forfeiture for that calendar month will not affect eligibility for subsequent months. There shall be a separate Form DR-14 (1/00) completed for each supermarket site recycling center, nonprofit convenience zone recycler, or rural region recycler which shall include all of the following information in addition to that required by section 2090 of these regulations:

(1) The calendar month and year covered by the report; and

(2) The name, and mailing address of the recycling center; and

(3) The name and telephone number of a contact person; and

(4) The certification number of the supermarket site recycling center, nonprofit convenience zone recycler, or rural region recycler; and,

(5) A change of mailing address, ownership or a closing of the supermarket site recycling center, nonprofit convenience zone recycler, or rural region recycler; and

(6) The weight, to the nearest tenth of a pound, of empty beverage containers, by material type, redeemed by that recycling center, at that supermarket site, nonprofit convenience zone recycler, or rural region recycler, only from consumers delivering that material during the hours the recycling center was open for business. This weight shall be taken from the receipts and logs of that recycling center for that calendar month; and,

(7) The signature and title of an authorized representative of the recycling center in accordance with subsections 2090(d)(4) and (5) of subchapter 2 of these regulations; and

(8) The date the application was signed.

(i) Each recycling center shall maintain a separate list of all purchases of more than 250 pounds of aluminum beverage containers. Such list (or legible copies of the receipts) shall be sent to the Division weekly and shall contain all of the following information, taken from the receipt prepared pursuant to section 2525(a) of these regulations:

(1) The receipt number for the transaction; and

(2) The name of the person selling the material; and

(3) The additional identifying information of the person selling the material; and

(4) The name, address, and certification number of the recycling center submitting the list; and

(5) The transaction date; and

(6) The pounds purchased on the receipt; and

(7) The total amount paid.



(j) Recycling centers purchasing materials directly from more than one curbside program, dropoff or collection program, or community service program may apply to the Division to request the use of alternative methods for preparing the corresponding shipping reports. The Division shall consider each proposed alternative method and issue a written approval or denial within forty-five (45) calendar days.

(1) In order for alternative methods to be accepted, they must be based on reasonable allocation methods.

(2) An application for an alternative allocation method shall be denied if:

(A) The received weight of the material purchased by an entity from the recycling center is not used to calculate allocations to the curbside programs, dropoff or collection programs, or community service programs; or

(B) The recycling center does not ensure that the weight of rejected containers, line breakage, and out-of-state containers is not included in the allocated weight (this does not require a physical separation); or

(C) The recycling center does not account for each incoming load of material; or

(D) The recycling center does not inspect incoming material to verify that it is eligible for refund value payments, as specified in section 2501.

(3) Recycling centers may file a formal appeal by writing the Assistant Director for Recycling within thirty (30) calendar days after the receipt of a notice denying an application requesting an alternative method for shipping report preparation. Appeals submitted after this time period shall be rejected. All written appeals shall include:

(A) A copy of the notice denying the allocation method;

(B) A detailed explanation of why the determination was in error; and,

(C) Any other documentation that supports the appeal.

(4) A written decision on the appeal shall be sent to the recycling center within seven (7) calendar days of the receipt of the appeal.

Authority: Sections 14530.5(b) and 14536, Public Resources Code. Reference: Sections 14526.6, 14538, 14549.1, 14571.9 and 14585, Public Resources Code.

#### **§2535. PAYMENTS TO CONSUMERS, CURBSIDE PROGRAMS, COMMUNITY SERVICE PROGRAMS AND DROPOFF OR COLLECTION PROGRAMS.**

(a) Recycling centers shall pay on delivery the refund value for every empty beverage container not donated to the recycling center.

(b) For deliveries to a recycling center, except reverse vending machines:

(1) The consumer has the option of being paid based on count for up to 50 empty beverage containers of each material type.

(2) The recycler may pay based on count for all deliveries of empty beverage containers received from consumers.

(c) Notwithstanding any other provision of this subchapter, recycling centers shall not pay dropoff or collection, community service, and curbside programs more than the relevant commingled rate.

(d) Calculation of Payment.

(1) If the material received from consumers is segregated, as determined by the load inspection required by section 2501 of these regulations, and payment is based upon weight, payment shall be calculated by multiplying the actual weight of the empty beverage containers, by the applicable segregated refund value per pound for the relevant material type.

(2) If the payment is based on the actual number of empty beverage containers, the payment shall be based upon the following:

(A) in the case of recycling centers other than a reverse vending machine, the number of the empty beverage containers, multiplied by the refund value per empty beverage container for the relevant material type and size; or,

(B) in the case of a reverse vending machine, the number of empty beverage containers, multiplied by the refund value per empty beverage container for the relevant material type and size. If the reverse vending machine accepts empty beverage containers in gross, rather than by individual containers, and pays based on weight, the payment shall be based on the applicable refund value per pound rate.

(3) For commingled materials **delivered from a dropoff or collection program, community service program or curbside program**, payment shall be based on the **actual received** weight of the commingled material, **excluding the weight of line breakage, rejected and out-of-state material**, multiplied by the applicable **statewide average** commingled rate, or the Division's approved individual commingled rate, ~~for the relevant material type.~~

(4) **For commingled materials delivered from another recycling center, payment shall be based on the received weight of the commingled material, excluding the weight of line breakage, rejected and out-of-state material, multiplied by the applicable commingled rate.**

(5) **For commingled materials delivered from consumers, payment shall be based on the received weight of the material, multiplied by the applicable commingled rate.**

(e) Recycling centers shall have the option to refuse to accept empty beverage containers which, in the opinion of the recycling center, are excessively contaminated with dirt, moisture, or other foreign substances ("shrinkage"). Alternatively, recycling centers may adjust downward the refund value per pound used to calculate payment by the ratio of such substances to empty beverage containers.

(f) A certified recycler shall not pay the refund value to, or claim refund value for any material received from any person, operation or entity who is not certified by the Division, delivering a load of material in excess of 500 pounds of aluminum or plastic beverage containers, or 2,500 pounds of glass beverage containers, per day. This limitation is applicable to all transactions, including those performed pursuant to section 2500(h) of these regulations.

(1) It is a violation of this Section for a recycling center to split loads in excess of the aforementioned weights, or accept during any one day an aggregate total of material in excess of the aforementioned weights from any person not certified by the Division.

Authority: Sections 14530.5 and 14536, Public Resources Code. Reference: Sections 14552(a), 14572 and 14572.5, Public Resources Code.

#### §2540. RECEIPT OF FUNDS.

(a) The recycling center shall receive from the processor the sum of the following amounts:

(1) total refund value; and

(2) three-fourths of one percent (3/4%) of the refund value for administrative costs;

and

(3) any applicable processing payment pursuant to Section 14573.5 of the Act.

(b) Such payments in subsection (a) above shall be based upon the lesser of the shipping report total amount due as set forth in the shipping report, or the value appropriate for the received weight as determined by the processor in accordance with ~~section 2430(a)(2)~~ **subsections 2430(a)(1)(D), (E), and (F)** of these regulations.

(c) For reverse vending machines, the refund value pursuant to subsection 2540(a) above shall be based upon the applicable commingled rate, except as follows:

(1) The refund value shall be based upon the full refund value only where the reverse vending machine distinguishes 100% of the time between empty beverage containers and other containers.

(d) Except as provided in Section 14585(b)(4) of the Act, a recycling center shall receive handling fees directly from the Division based upon the weight of all empty beverage containers reported to the Division pursuant to subsection 2530(c) of these regulations.

Authority: Sections 14530.5 and 14536, Public Resources Code. Reference: Sections 14518.5, 14573.5, 14575(c) and 14585(b)(4), Public Resources Code.

## SUBCHAPTER 11.5. QUALITY GLASS INCENTIVE PAYMENTS

### Article 1. General Requirements

#### §2850. QUALITY GLASS INCENTIVE PAYMENTS

(a) The Division may pay a quality glass incentive payment, as determined by the Division, to any entity certified pursuant to the Act for glass which is collected by curbside programs and color-sorted and substantially free of contamination. Payments shall be made directly to the certified entity that color-sorts the glass beverage containers for recycling.

(b) For glass beverage containers that are color-sorted prior to completion of the Shipping Report (DR 6 ~~(01/02)~~ **(11/05)**) the eligible sorting facility shall be identified on the Shipping Report, as specified in Sections 2425(e), or 2530(f) and the Shipping Report (DR 6 ~~(01/02)~~ **(11/05)**) shall constitute the claim for the quality glass incentive payment.

(c) For glass beverage containers that are color-sorted subsequent to completion of the Shipping Report Form, the certified entity that claims a quality glass incentive payment for color-sorted glass shall submit a Quality Glass Incentive Payment Claim Form (DOR 56 (01/02)) to the Division for each calendar month in which the quality glass incentive payment is being claimed. To be eligible to submit Quality Glass Incentive Payment Claim Forms (DOR 56 (01/02)), the sorting facility shall submit a request and receive approval from the Division for authorization to submit claims.

(1) The request for authorization must include the methodology developed by the sorting facility to attribute the color-sorted glass beverage container materials to the types of programs from which they were received to ensure that glass materials collected by sources other than curbside programs are excluded from the amount claimed for quality glass incentive payments.

(2) The Division shall notify the applicant in writing within (15) working days of receipt of the application, or receipt of additional information if the application was initially incomplete, that it is either:

(A) Complete and accepted for further review, or

(B) Incomplete and the reasons for the deficiency.

(3) The Division shall review and consider each request for authorization to submit claims for quality glass incentive payments for post shipping report color-sorted glass materials and issue a written approval or denial within forty-five (45) calendar days from receipt of the complete and accepted request. Upon approval, the authorization to submit claims for quality glass incentive payments for post shipping-report color-sorted glass materials, as specified in Section 2850(c), shall be valid for a period of three (3) years from the date of approval, or until such time as the authorization is surrendered by the sorting facility, or suspended or revoked by the Division.

(4) Reasons for denying a request for authorization, or for suspending or revoking an approved authorization may include, but shall not be limited to any of the following:

(A) The sorting facility does not ensure that mixed color glass received from entities other than curbside programs are excluded from the claim;

(B) The sorting facility does not account for each incoming load of mixed color glass;

(C) The claim for quality glass incentive payment is not based on the color-sorted weight;

(D) The sorting facility fails to maintain inventory records that show shipped and received materials by color; and,

(E) The sorting facility has been found to be in violation of any provision of the Act, or any regulations adopted pursuant to the Act.

(5) A sorting facility may request reconsideration of a denial, suspension, or revocation of an authorization by submitting a written request for reconsideration to the Division within thirty (30) calendar days of being served with a denial, revocation, or suspension of an authorization to submit claims for quality glass incentive payments for post shipping report color-sorted glass materials. All written requests shall include:

(A) A copy of the notice denying the authorization to submit claims for quality glass incentive payments for post shipping-report color-sorted glass materials;

(B) A detailed explanation of the grounds for reconsideration; and,

(C) Any other documentation that supports the request.

(6) A written decision on the request for reconsideration shall be sent to the sorting facility within twenty (20) calendar days of the receipt of the request.

(7) To be eligible for payment, the Quality Glass Incentive Payment Claim Form (DOR 56 (01/02)) must be postmarked no later than the first day of the second month following the reporting month. Claims postmarked after this date or incomplete claims may be denied payment. A separate claim shall be completed by each certified entity.

(8) Each Quality Glass Incentive Payment Claim Form (DOR 56 (01/02)) must include all of the following information:

(A) The month for which the claim is submitted;

(B) The facility name, mailing address, and certification number of the entity submitting a claim for quality glass incentive payments;

(C) The name and phone number of a contact person;

(D) The redemption weight to tenths of tons of color-sorted glass claimed;

(E) The signature and title of an authorized representative; and

(F) The date the report was signed by the authorized representative under penalty of perjury.

(d) The quality glass incentive payment may be denied or reduced if the Division has prevailed against the certified entity in a civil or administrative action and money is owed to the Division as a result of the action.

(e) For the purpose of Section 14549.1 of the Act and these regulations, the following definitions shall apply:

(1) “Color-sorted glass” means glass that has been sorted into flint, amber, or green fractions, and would be acceptable to a beneficiating processor.

(2) “Substantially free of contamination” means glass that has been substantially cleaned of non-glass contaminants.

Authority: Sections 14530.5(b) and 14536, Public Resources Code. Reference: Sections 14549.1 and 14552, Public Resources Code; and Section 15376, Government Code.

FOR STATE USE ONLY  
PROCESSOR CCN



FOR STATE USE ONLY  
CCN



PRINTED ON RECYCLED PAPER

## SHIPPING REPORT

STATE OF CALIFORNIA - The Resources Agency  
DEPARTMENT OF CONSERVATION  
Division of Recycling  
DR-6 (1/02)

FOR STATE USE ONLY  
ATTACHED TO CCN

### COMPLETED BY SHIPPER:

COMPANY NAME

ADDRESS

CERT. #

CONTACT PERSON

TELEPHONE NUMBER

### RECEIVER INFORMATION

COMPANY NAME

CERT. #

MATERIAL TYPE

☐ AMENDMENT TO FSN

### RECYCLER PAYMENT REQUEST INFORMATION

	REDEMPTION WEIGHT (LBS)	REFUND (A)	PROCESSING PAYMENT (B)	SUBTOTAL DUE A+B
FROM Receipts & Logs	•	•	•	•
FROM Shipping Reports or Consolidated Reports	•	•	•	•
TOTAL	•	•	•	•

Receipt & Log Entries For

Thru

Number of Attachments  
or Consolidated Shipments

COMPLETED BY RECEIVER  
Weight Ticket #

Received Wt. (Lbs.)

RECEIVER PAYMENT ANALYSIS  
Refund Value (C)

Processing Pymt. (D)

Subtotal Due (C+D)

<input type="text"/>	<input type="text"/>	•	<input type="text"/>	•
			ADMINISTRATIVE FEE	•
			TOTAL PAYMENT DUE	•

Received Date:

Completed by receiver only:

% of Reduction Taken

#### For Quality Glass Incentive Payment Program

(Curbside Collection Only)

For glass **color sorted** by the **shipper** indicate in the adjacent QGIP box "**CS**".  
For glass **color sorted** by the **receiver** indicate in the adjacent QGIP box "**CR**".

QGIP

% OF SHRINKAGE

Civil penalties of up to five thousand dollars (\$5,000.00) per day may be assessed for violation of the laws and regulations governing this report. In addition, the submission of false information with intent to defraud is a crime punishable by substantial fines, up to three years imprisonment, or both. Knowing this, I certify under penalty of perjury that the facts presented herein are true and correct to the best of my knowledge.

FOR STATE ONLY

APPROVED FOR PAYMENT Shipper's Signature/Title

Receiver's Signature/Title

Date

Date

FOR STATE USE ONLY  
PROCESSOR CCN



FOR STATE USE ONLY  
CCN



PRINTED ON RECYCLED PAPER

## SHIPPING REPORT

STATE OF CALIFORNIA - The Resources Agency  
DEPARTMENT OF CONSERVATION  
Division of Recycling  
DR-6 (11/05)

FOR STATE USE ONLY  
ATTACHED TO CCN

FOR STATE ONLY

### COMPLETED BY SHIPPER:

COMPANY NAME	
ADDRESS	
CERT. #	
CONTACT PERSON	
TELEPHONE NUMBER	

### RECEIVER INFORMATION

COMPANY NAME									
CERT. #									
MATERIAL TYPE									
<input type="checkbox"/> AMENDMENT TO FSN	<table><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>								

### RECYCLER PAYMENT REQUEST INFORMATION

	REDEMPTION WEIGHT (LBS)	REFUND
FROM Receipts & Logs	•	•
FROM Shipping Reports or Consolidated Reports	•	•
TOTAL	•	•

Receipt & Log Entries For

MM	DD	YY
----	----	----

Thru

MM	DD	YY
----	----	----

Number of Attachments  
or Consolidated Shipments

--

### COMPLETED BY RECEIVER

Weight Ticket #

Received Wt. (Lbs.)

### RECEIVER PAYMENT ANALYSIS

Refund Value (C)

Processing Pymt. (D)

Subtotal Due (C+D)

		•	•	•				
Received Date: <table><tr><td>MM</td><td>DD</td><td>YY</td></tr></table>	MM	DD	YY	Completed by receiver only: <table><tr><td></td></tr></table>		% of Reduction Taken	ADMINISTRATIVE FEE	•
MM	DD	YY						
TOTAL PAYMENT DUE				•				

Civil penalties of up to five thousand dollars (\$5,000.00) per day may be assessed for violation of the laws and regulations governing this report. In addition, the submission of false information with intent to defraud is a crime punishable by substantial fines, up to three years imprisonment, or both. Knowing this, I certify under penalty of perjury that the facts presented herein are true and correct to the best of my knowledge.

QGIP

% OF SHRINKAGE

APPROVED FOR PAYMENT Shipper's Signature/Title

Shipper's Printed Name

Date

Receiver's Signature/Title

Receiver's Printed Name

Date

**AB 1763 DISTRIBUTOR REPORTING DEADLINE  
PROPOSED PERMANENT REGULATIONS  
Effective March 10, 2006**

TITLE 14. NATURAL RESOURCES  
DIVISION 2. DEPARTMENT OF CONSERVATION

SUBCHAPTER 4. DISTRIBUTORS

Article 1. Distributor Requirements

§2310. REPORTING.

(a) A distributor shall prepare and submit to the Division the Distributor Report, DR-3 (1/04) in accordance with the general requirements for reporting contained in section 2090 of these regulations.

~~(1) The DR-3 (1/04) for sales or transfers of all beverage containers, except beer and malt beverage containers, shall be submitted no later than the tenth day of the second month following the month of sales. For example, sales of January 2000 shall be reported on March 10, 2000; sales of February 2000 shall be reported on April 10, 2000; sales of March 2000 shall be reported on May 10, 2000; etc.~~

(1)(2) The DR-3 (1/04) for sales or transfers of ~~all beer and malt~~ beverage containers shall be submitted no later than the last day of the third month following the month of sales. For example, sales of January 2000 shall be reported on April 30, 2000; sales of February 2000 shall be reported on May 31, 2000; sales of March 2000 shall be reported on June 30, 2000; etc.

~~(2)(3)~~ The DR-3 (1/04) shall contain all of the following information:

(A) The distributor's name, address, contact person, and telephone number of the contact person;

(B) The distributor's assigned identification number, specific to the beverage type reported. A report of sales or transfers of beer and malt beverage containers shall include an assigned identification number with the prefix "DB". A report of sales or transfers of beverage containers other than beer and malt beverage containers shall include an assigned identification number with the prefix "DS". A separate DR-3 (1/04) shall be submitted for each "DB" and "DS" identification number;

(C) The reporting period;

(D) The total number and total empty weight of beverage containers, by material type and size, including all containers which bear the message as required in Section 14561 of the Act, sold or transferred;

(E) The total number of beverage containers identified in subparagraph (C);

(F) Redemption payment and administrative fee:

1. The redemption payment for each material type by size, and
2. The total redemption payment,
3. The administrative fee deducted, and



4. The total due to the Division;

(G) The total number and total empty weight of refillable beverage containers sold, transferred, and returned to the distributor. Each of these items shall be reported by material type; and

(H) The signature of an authorized representative and date signed.

Authority: Sections 14530.5 and 14536, Public Resources Code. Reference: Sections 14530.5, 14550 (b) and (c), 14560, 14561, and 14574, Public Resources Code.